IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6394 OF 2006

Limba Krishna Kasbe .. Petitioner.
Vs.
Vithal Krishna Kasbe .. Respondent.

Mr.V.P.Sawant i/b Mr.Prabhakar M.Jadhav for the petitioner.

CORAM : D.B.BHOSALE, J.

DATED : 9TH OCTOBER, 2006

P.C.:

. Heard learned counsel for the petitioner.

2. This petition is directed against the concurrent findings recorded by the courts below in the application seeking temporary injunction filed by the respondent-defendant. Both the courts below have concurrently held that the petitioner-plaintiff is in possession of the western half portion of the land in dispute. Mr.Sawant, learned counsel for the petitioner after arguing this petition for sometime stated that I need no record reasons for dismissing this writ petition and prayed for directions to the trial Court to dispose of the suit within time frame. Considering the order impugned in the present writ petition and the submissions advanced by Mr.Sawant I

am satisfied that the following order shall meet the ends of justice:

. The trial Court shall decide regular civil suit no.109 of 2004 as expeditiously as possible and preferrably within a period of nine months from the date of receipt of this order on merits in accordance with law without being influenced by the observations made in the impugned orders. It is open for the petitioner to file appropriate application before the trial Court seeking injunction against the respondent-plaintiff from creating third party rights in the property till disposal of the suit. If such an application is filed same may be considered on merits in accordance with law, after giving an opportunity of being heard to the respondent-defendant.

. With these observations the writ petition is disposed of.

(D.B.Bhosale, J.)